

On exhaustion, Flemons says he didn't have an "available" remedy within the meaning of the PLRA because he didn't know about Defendants' retaliatory motives until after the fifteen-day grievance window had closed. *No. 31 & No. 34*. But Flemons hasn't shown that Defendants, "through machination, misrepresentation, or intimidation[,]," prevented him from learning of or deducing a

retaliatory motive sooner. *Ross v. Blake*, 136 S. Ct. 1850, 1860 (2016). And as Magistrate Judge Volpe notes, there is no “special circumstances” exception to the PLRA’s exhaustion requirement. *Ross*, 136 S. Ct. at 1858. Defendants’ motion for partial summary judgment, No 24, is therefore granted. Flemons’s retaliation claims are dismissed without prejudice.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

18 September 2018